

87th Legislative Session – 2012

Committee: House Judiciary

Thursday, February 09, 2012

P - Present
E - Excused
A - Absent

Roll Call

P Abdallah
P Boomgarden
E Feinstein
E Gibson
P Hansen (Jon)
P Killer
P Kopp
P Nelson (Stace)
P Russell
P Tornow
P Turbiville
P Gosch, Vice-Chair
P Hunt, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chairman, Representative Roger Hunt.

HB 1185: prohibit all qualified health plans offered through a health care exchange or other health plans offered in the state from including abortion coverage, except by optional and separate supplemental coverage.

Presented by: Representative Jon Hansen (Handouts: #1, #2, #3 and #4)

Proponents: Linda Johnson, SD Right to Life
Matt McCaulley, SD Family Policy Council
Linda Schauer, Concerned Women For America
Rita Houghlum, Eagle Forum
Travis Benson, Catholic Diocese of Sioux Falls

Opponents: Alisha Sedor, NARAL Pro-Choice, SD
Mitch Richter, SD Campaign for Healthy Families

MOTION: AMEND HB 1185

1185sa

On page 1, line 7, of the printed bill, delete everything after "."

On page 1, delete lines 8 to 15, inclusive, and insert:

" Section 2. For the purposes of this Act, an elective abortion is an abortion performed for any reason other than a medical emergency as set forth in subdivision 34-23A-1(5).".

Delete pages 2 and 3, inclusive.

Moved by: Tornow
Second by: Turbiville
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1185 AS AMENDED

Moved by: Turbiville
Second by: Gosch
Action: Prevailed by roll call vote. (10-1-2-0)

Voting Yes: Abdallah, Boomgarden, Hansen (Jon), Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

Voting No: Killer

Excused: Feinstein, Gibson

MOTION: AMEND TITLE OF HB 1185

1185sta

On page 1, line 2, of the printed bill, delete "or other health plans offered in the state".

On page 1, line 3, delete ", except by optional and separate supplemental coverage".

Moved by: Gosch

Second by: Nelson (Stace)
Action: Prevailed by voice vote.

HB 1219: revise certain provisions relating to the process of collecting DNA upon arrest for a qualifying offense.

Presented by: Representative Steve Hickey
Proponents: Tiffany Campbell, American Civil Liberties Union of SD
Opponents: Dick Tieszen, SD Sheriffs

MOTION: DEFER HB 1219 TO THE 41ST LEGISLATIVE DAY

Moved by: Turbiville
Second by: Tornow
Action: Was not acted on.

MOTION: CALL THE QUESTION

Moved by: Boomgarden
Second by: Turbiville
Action: Failed by roll call vote. (5-6-2-0)

Voting Yes: Boomgarden, Russell, Turbiville, Gosch, Hunt

Voting No: Abdallah, Hansen (Jon), Killer, Kopp, Nelson (Stace), Tornow

Excused: Feinstein, Gibson

MOTION: SUBSTITUTE MOTION AMEND HB 1219

1219ra

On page 1, line 8, of the printed bill, delete everything after "." .

On page 1, delete lines 9 to 11, inclusive.

Moved by: Nelson (Stace)
Second by: Russell
Action: Prevailed by roll call vote. (7-4-2-0)

Voting Yes: Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Gosch, Hunt

Voting No: Abdallah, Gibson, Tornow, Turbiville

Excused: Boomgarden, Feinstein

MOTION: DEFER HB 1219 TO THE 41ST LEGISLATIVE DAY

Moved by: Turbiville

Second by: Abdallah

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DO PASS HB 1219 AS AMENDED

Moved by: Nelson (Stace)

Second by: Hansen (Jon)

Action: Prevailed by roll call vote. (7-4-2-0)

Voting Yes: Boomgarden, Hansen (Jon), Killer, Kopp, Nelson (Stace), Tornow, Gosch

Voting No: Abdallah, Russell, Turbiville, Hunt

Excused: Feinstein, Gibson

HB 1248: provide for exceptions from certain misdemeanor offenses relating to possession of handguns.

Presented by: Representative Betty Olson

Proponents: Senator Larry Rhoden

MOTION: DO PASS HB 1248

Moved by: Gosch

Second by: Hansen (Jon)

Action: Prevailed by roll call vote. (10-1-2-0)

Voting Yes: Abdallah, Boomgarden, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow, Gosch, Hunt

Voting No: Turbiville

Excused: Feinstein, Gibson

HB 1249: permit a probationer who is a registered sex offender to reside in an

assigned halfway house or supervised living center within a community safety zone and to prohibit sex offenders who committed sexual offenses against children to qualify for certain residency exceptions.

Presented by: Representative Stace Nelson
Opponents: Laurie Feiler, Department of Corrections
Greg Sattizahn, Unified Judicial System
Representative Gene Abdallah

MOTION: DEFER HB 1249 TO THE 41ST LEGISLATIVE DAY

Moved by: Turbiville
Second by: Gosch
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION AMEND HB 1249

1249rb

On page 2, line 15, of the printed bill, delete "(3), or (4)" and insert "or (3)".

Moved by: Nelson (Stace)
Second by: Tornow
Action: Prevailed by roll call vote. (7-4-2-0)

Voting Yes: Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow, Hunt

Voting No: Abdallah, Boomgarden, Turbiville, Gosch

Excused: Feinstein, Gibson

MOTION: DO PASS HB 1249 AS AMENDED

Moved by: Russell
Second by: Tornow
Action: Failed by roll call vote. (6-4-3-0)

Voting Yes: Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow

Voting No: Boomgarden, Turbiville, Gosch, Hunt

Excused: Abdallah, Feinstein, Gibson

MOTION: DEFER HB 1249 TO THE 41ST LEGISLATIVE DAY

Moved by: Turbiville

Action: Died for lack of a second.

MOTION: DEFER HB 1249 UNTIL FRIDAY, FEBRUARY 10, 2012.

Moved by: Boomgarden

Second by: Gosch

Action: Prevailed by roll call vote. (9-1-3-0)

Voting Yes: Boomgarden, Hansen (Jon), Killer, Kopp, Russell, Tornow, Turbiville, Gosch, Hunt

Voting No: Nelson (Stace)

Excused: Abdallah, Feinstein, Gibson

MOTION: ADJOURN

Moved by: Killer

Second by: Hansen (Jon)

Action: Prevailed by voice vote.

Bonnie Fischer
Committee Secretary

Roger W. Hunt, Chair